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7

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 CITY OF FERNLEY, a political subdivision of  
the State of Nevada; DAVID F. STIX, JR., an  
11 individual; and DEANNA EDMONSTON, an  
individual,

12 Plaintiffs,

13 vs.

14 ERNEST A. CONANT, Regional Director,  
UNITED STATES BUREAU OF  
15 RECLAMATION; UNITED STATES  
BUREAU OF RECLAMATION; and  
16 PYRAMID LAKE PAIUTE TRIBE,

17 Defendants.  
18

Case Number: 3:21-CV-00119-MMD-CLB

**NOTICE OF APPEAL AND  
REPRESENTATION STATEMENT**

19 **NOTICE IS HEREBY GIVEN** that Plaintiff City of Fernley (“Fernley”) hereby appeals to the  
20 United States Court of Appeals for the Ninth Circuit from the Judgment in a Civil Case entered on  
21 December 13, 2021 (ECF No. 67) (a true and correct copy of which are attached hereto as Exhibit 1);  
22 from the Order granting Defendant’s motion for dismissal entered on December 13, 2021 (ECF No. 66)  
23 (a true and correct copy of which is attached hereto as Exhibit 2); and from the Order denying Plaintiff’s  
24 FRCP 59(e) motion to amend entered on March 15, 2022 (ECF No. 79) (a true and correct copy of which  
25 is attached hereto as Exhibit 3).

26 The Defendants in this case are:

27 Ernest A. Conant, in his capacity as Regional Director, United States Bureau of Reclamation,  
28

1 United States Bureau of Reclamation.

2 Counsel for Defendants are Eve W. McDonald, Jefferey S. Thomas, Todd Kim, United States  
3 Department of Justice, Environmental and Natural Resources Division, 999 18<sup>th</sup> Street, South Terrace,  
4 Suite 370, Denver Colorado, 80202; tel. (303) 844-1381; and Christopher Chiou and Holly A. Vance,  
5 Office of the United States Attorney, Bruce R. Thompson U.S. Courthouse & Federal Bldg., 400 S.  
6 Virginia Street, Suite 900, Reno, NV 89501; tel. (775) 334-3347.

7 The Intervenor Defendant in this case is:

8 Pyramid Lake Paiute Tribe

9 Counsel for Intervenor Defendant Pyramid Lake Paiute Tribe are Don Springmeyer, Christopher  
10 W. Mixson, and Chad Aronson, Kemp Jones, LLP, 3800 Howard Hughes Parkway #1700, Las Vegas,  
11 NV 89169; tel. (702) 385-6000.

12 Dated this 16th day of March 2022 by:

13 TAGGART & TAGGART, LTD.

14  
15 By: /s/ David H. Rigdon

16 DAVID H. RIGDON, ESQ  
17 Nevada State Bar No. 13567  
18 PAUL G. TAGGART, ESQ.  
19 Nevada State Bar No. 6136  
20 *Attorneys for City of Fernley*  
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**REPRESENTATION STATEMENT**

The undersigned represents Plaintiff City of Fernley. Below is a list that shows all of the parties to the action and identifies their counsel by name, firm, address, email, and telephone number, pursuant to FRAP and Circuit Rule 3-2(b).

**Plaintiff and Appellant:**

City of Fernley, a political subdivision of the State of Nevada

**Counsel for Plaintiff and Appellant:**

DAVID H. RIGDON, ESQ.  
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**Intervenor Plaintiffs:**

David F. Stix, Jr., an individual, and  
Deanna Edmonston, an individual

**Counsel for Intervenor Plaintiffs:**

LAURA A. SCHROEDER, ESQ.  
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**Defendants:**

Ernest A Conant, in his capacity as Regional Director of the United States Bureau of Reclamation, and

United States Bureau of Reclamation

**Counsel for Defendants:**

CHRISTOPHER CHIOU, Acting United States Attorney  
HOLLY A. VANCE, Assistant United States Attorney  
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Environment and Natural Resources Division  
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(303) 844-1381- Telephone  
Evelyn.McDonald@usdoj.gov

**Intervenor Defendant:**

Pyramid Lake Paiute Tribe

**Counsel for Intervenor Defendant:**

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**EXHIBIT INDEX**

Exhibit 1: Judgement in a Civil Case, Entered on December 13, 2022 [ECF No. 67]

Exhibit 2: Order granting Defendant's motion for dismissal entered on December 13, 2021 [ECF No. 66]

Exhibit 3: Order denying Plaintiff's FRCP 59(e) motion to amend entered on March 15, 2022 [ECF No. 79]